

Notice of Allowability

Application No.

10/815,530

Examiner

Mohammad M. Ali

Applicant(s)

WIGGS, B. RYLAND

Art Unit

3744

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 10/11/06.
2. ☒ The allowed claim(s) is/are 1-3,5-7,9,10,13-21,23-25,27,28,31-36,39,41 and 42.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

Response to Amendment

The amendment filed on 10/11/06 is sufficient to overcome the prior art reference.

Allowable Subject Matter

The following is an examiner's statement of reasons for allowance: Claims 1, 9, 15-19, 27, 33-36, 39, 41 and 42 are allowable because the prior art of record fails to disclose or suggest or teach the recited rejecting heat into the interior air at a rate equal to the first interior air heat exchange means, less the rate equivalent to the additional heat of compression generated by means of the system's compressor (see claims 1 and 19, 39); wherein the system's humidistat's call for operation in the dehumidification mode is subject to, and will not override, the system's thermostat's call for operation in the cooling mode (see claims 9, 13, 41 and 42); where both respective air handlers operate at one of a concurrent desired lower speed when the compressor is operative at a lower speed, less the rate in the second interior heat exchanger means that is equivalent to the additional heat of compression generated by means of at least one of the system's compressor and externally powered components, and where both respective air handlers operate at one of a concurrent desired higher speed when compressor is operating at a higher speed, less the rate in the second interior air heat exchange means that is equivalent to the additional heat of compression generated by means of at least one of the system's compressor and externally powered components (see claims 15 and 33);

wherein the first air handler's tonnage capacity is designed at a tonnage design capacity that is greater than the system's maximum compressor tonnage design capacity, and where the second air handler's tonnage capacity is designed at a tonnage design capacity that is one of equal to and less than the system's maximum compressor tonnage design capacity (see claims 16, 17, 34 and 35); wherein the system's first air handler is one of by-passed, by means of a refrigerant transport tube, and is deactivated/disengaged, and is deactivated/disengaged by means of deactivating the first air handler's fan and reducing the first air handler's CFM air flow, while the system's second air handler is engaged and operative and the system is operating in the heating mode (see claim 18 and 36); wherein the system's first interior air heat exchange means and the system's second air heat exchange means are both operatively engaged during the system's dehumidification mode of operation where the system's first interior air heat exchange means, and not the system's second interior air heat exchange means, is operatively engaged during the system's cooling mode of operation (see claim 27).


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad M. Ali whose telephone number is (571) 272-4806. The examiner can normally be reached on Monday to Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cheryl Tyler can be reached on (571) 272-4834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


MOHAMMAD M. ALI
PRIMARY EXAMINER